# PROJECT NARRATIVE STATEMENT
# Portland Harbor - Joint Source Control Strategy

## Site Background

Portland Harbor is a 10-mile stretch of the Lower Willamette River that extends from downtown Portland to near the confluence of the Willamette and Columbia Rivers. DEQ began investigating properties along the banks of the Lower Willamette River in the late 1980s. In March 1997, DEQ and EPA began a joint study to sample near-shore, in-river sediments within Portland Harbor. The investigation identified the presence of elevated levels of metals, polychlorinated biphenyls, pesticides, and semivolatile organic compounds such as polynuclear aromatic hydrocarbons in river sediments. Based on the results of this investigation, EPA added a 5.7-mile stretch of the Lower Willamette River to the National Priorities List, commonly referred to as Superfund, on December 1, 2000. This section of river is referred to as the Initial Study Area. As the Portland Harbor project progressed, the Study Area expanded and now stretches from about River Mile 2 to River Mile 12.

Subsequent to Portland Harbor's Superfund listing, a Memorandum of Understanding was developed to establish the relationship between EPA, DEQ, state & federal Natural Resource Trustee agencies (U.S. Fish & Wildlife, National Marine Fisheries Service and Oregon Department of Fish & Wildlife) and six Tribal governments (Siletz, Grand Ronde, Yakama, Umatilla, Warm Springs, and Nez Perce). The MOU was based on CERCLA, the National Contingency Plan and the Portland Harbor Cleanup Statement of General Principles developed jointly by EPA and DEQ and attached to Governor John Kitzhaber's Superfund listing concurrence letter. Generally, the MOU specifies EPA as the lead agency for in-water work (river, beach, and sediments) and DEQ as the lead agency for upland work. Under the MOU, DEQ is responsible for identifying and controlling upland sources of contamination to Portland Harbor. EPA is responsible for investigating the nature and extent of in-water contamination, estimating risks to human health and the environment resulting from in-water contamination, identifying and evaluating remedial action alternatives, and selecting a remedial action to address in-water contamination.

The MOU also required DEQ and EPA to develop a *Joint Source Control Strategy* (JSCS), designed to address hazardous substance releases from upland sites being investigated under ORS 465, as well as waste-management activities, permitted and unpermitted stormwater discharges, overland runoff and other non-point sources, permitted discharges, and direct discharges resulting from spills or other releases.

JSCS objectives are:

- Outline DEQ's process to identify upland sources of contamination threatening the river.
- Provide screening-level values or standards to:
  - Screen and prioritize upland sources of contamination;
  - Identify those sites that pose a threat to the river; and
  - Assist in developing cleanup goals for source control measures.
- Establish the process to share data from the upland source control work and the in-water Portland Harbor remedial investigation and feasibility study to ensure more informed upland source control decisions and in-water remedial decisions.
- Present the process to prioritize upland sources by magnitude of the threat and/or degree of impact on the river and recontamination potential including:

  - High priority sites that must move forward with aggressive source control measures without delay;
  - Medium priority sources for which additional evaluation is required to determine if source control is needed and prioritize the implementation of source control measures; and
  - Low priority sites for which source control measures are not likely to be required, but may be revisited in conjunction with the Portland Harbor record of decision.
- Present the approach for evaluating stormwater discharges to the river.
- Provide a schedule for control of upland sources and the process DEQ will use to ensure source control activities comply with the anticipated Portland Harbor ROD schedule.
- Provide regular reporting that both DEQ and EPA can use to measure source control status and to provide a process for integrating and/or evaluating upland DEQ investigations and remedial actions consistent with the Portland Harbor RI/FS. Initially reporting was quarterly, then annual Milestone Reports. With EPA's concurrence, DEQ prepared a Source Control Summary Report, submitted November 21, 2014, for consideration by EPA in preparing the Proposed Plan for in-water remedial action. DEQ provided an update to the report on March 25, 2016, as requested by EPA, so that the report could be included in the June 9, 2016 public release of EPA's Proposed Plan.

In October 2001, EPA entered into an Administrative Order on Consent requiring a group of responsible parties known as the Lower Willamette Group to conduct an RI/FS addressing the in-water portion of the site. The order considers the JSCS a companion document to the required RI/FS work plan.

EPA completed the RI/FS in June 2016 and released the Record of Decision for Portland Harbor on January 6, 2017.

**Project Activities**

DEQ began work on the JSCS in 2001, working closely with EPA, natural resource trustee agencies, and Tribes throughout the strategy development process. DEQ prepared an initial JSCS draft in March 2002, and after several revisions, finalized it in December 2005.

DEQ's focus since 2005 has been on implementing the strategy. DEQ's Summary Report demonstrates that most upland source control work is complete or will be completed prior to or in conjunction with implementation of the in-water remedy. Conclusions of the report support a demonstration that recontamination potential is addressed and the report informs the public about the status of source control completion so they were better prepared to comment on EPA's proposed plan. Some strategy implementation will continue to be done as part of DEQ's routine work with upland parties, and the costs will be recoverable to those projects. However, DEQ must also conduct ongoing implementation and reporting work that is unique to the overall strategy (i.e., not site-specific), to ensure equitable, consistent, and effective implementation. In addition, new tasks are anticipated as EPA transitions to ROD implementation. These include development of a Willamette Watershed Strategy that supports the water quality goals of the Portland Harbor ROD, updates to the JSCS and closer coordination on georegion-specific source control sufficiency just prior to remedy implementation in various sections of the study area. EPA staff changes warrant additional DEQ coordination with EPA for on-boarding of new EPA staff to the source control process. Coordination on previously planned efforts with EPA on developing and implementing site tracking, site-level recontamination evaluations, performance monitoring, and adaptive management planning are expected to increase as EPA moves into implementation of the ROD. In addition, a joint EPA/DEQ effort on a broader Willamette Watershed Strategy has been agreed to and must be funded. Joint EPA and DEQ communication and outreach to the public and stakeholders on Source Control and the Watershed Strategy is expected to incur

similar commitments in time and effort as public outreach during the last grant cycle year. Funding from EPA was received most recently for 2016-17, and additional funding is needed for DEQ to perform the activities described above from July 2017 through June 2018, as estimated below.

*NOTE: Because past work plans encompassed tasks related to DEQ's ongoing implementation of the JSCS, these tasks continue through 2017-18. The budget for 2017-18 is roughly similar to that from 2016-17, and captures the increasing efforts for joint Watershed Strategy development, JSCS updates, source control sufficiency coordination, development of monitoring and adaptive management planning and on-going public outreach with EPA.*

## STATEMENT OF WORK
## Portland Harbor JSCS

Task 1: Project Management

- Conduct necessary planning and administration activities to enable successful implementation of the JSCS and accounting of costs related to the grant.

Task 2: Strategy Implementation

- Continue to participate on the TCT and identify and work collaboratively toward resolution of issues, in communication with EPA staff and managers, on updating and implementing the JSCS.
- Ensure the JSCS is implemented fully and consistently in individual upland source control projects – work with DEQ project managers on source-control efforts, provide technical guidance as needed, oversee JSCS implementation, and identify and resolve issues.
- Participate with EPA in developing and implementing a collaborative source control sufficiency process on an area by area basis, targeted site-level recontamination evaluations, performance monitoring and adaptive management, intended to provide efficiencies in documenting source control effectiveness, sediment recontamination and in-water risk prevention and remedy effectiveness for overall protection of the in-water cleanup.
- Continue conducting investigations to fill data gaps to ensure upstream contaminant sources in the Downtown Reach are sufficiently controlled and protective of the Portland Harbor in-water remedy.
- Continue to collaborate within DEQ Cleanup and Water Quality programs and with EPA CERCLA and Office of Water to ensure a common understanding of the appropriate regulatory and technical framework to support effective source control and protection of the in-water remedy.
- Begin joint EPA/DEQ development and implementation of a Willamette Watershed Strategy, which supports water quality goals of the Portland Harbor ROD.

Task 3: Reporting

- Prepare and present any necessary updates to DEQ's Upland Source Control Summary Report or geographic regions or individual sites, prior to implementing the in-water remedy.

Task 4: Public Outreach

- Participate in public meetings and briefings to describe the source control strategy and efforts, as necessary.
- Participate in stakeholder meetings to inform and guide the development and subsequent implementation of a Willamette Watershed Strategy, which supports water quality goals of the Portland Harbor ROD.

**Project Budget, 2016-17** *(Negotiated between Alex Liverman/DEQ & Eva DeMaria/EPA, April 2016)*

| Task | Subtask | Hours |
|---|---|---|
| 1. Project Management | Planning and administration | 24 |
| 2. Strategy Implementation | JSCS implementation & issues resolution | 340 |
| | Tracking, monitoring, adaptive management development | 230 |
| | Regulatory framework | 140 |
| | Downtown Reach investigations | 80 |
| 3. Reporting | Updates to Summary Report georegions or sites | 100 |
| 4. Public Outreach | Public meetings, briefings & source control outreach | 86 |
| | **Total** | **1,000** |

| **Hours** | **1,000** |
|---|---|
| Personnel | $47,500 |
| Fringe Benefits | $21,850 |
| Travel | $0 |
| Equipment | $0 |
| Supplies | $0 |
| Contractual | $0 |
| Other | $6,650 |
| Indirect Charges | $12,393 |
| Total | **$88,393** |

**Proposed Project Budget, 2017-18** *(To be negotiated between Alex Liverman/DEQ & Eva DeMaria/EPA)*

| Task | Subtask | Hours |
|---|---|---|
| 1. Project Management | Planning and administration | 24 |
| 2. Strategy Implementation | JSCS implementation & issues resolution with EPA | 260 |
| | JSCS implementation & DEQ internal tech asst | 230 |
| | Collaborate w/EPA on SC sufficiency, recontamination, monitoring & adaptive management | 210 |
| | Continue Downtown Reach investigations | 24 |
| | Collaborate on CERCLA/CWA convergence | 50 |
| | Watershed Strategy development | 300 |
| | • Meeting facilitation/convener (contractor ~40 hrs.) | |
| | • Data acquisition/compilation (contractor ~200 hrs.) | |
| 3. Reporting | Updates to Summary Report, georegions or sites | 24 |
| 4. Public Outreach | Public meetings & briefings on source control & Watershed Strategy | 150 |
| | **Total** | **1,272** |

| **DEQ hours** | **1,272** |
|---|---|
| Personnel | $63,943 |
| Fringe Benefits | $29,414 |
| Travel | $0 |
| Equipment | $0 |
| Supplies | $0 |
| Contractual | $36,000 |
| Other | $8,952 |
| Indirect Charges | $18,531 |
| Total | **$156,840** |

(Based on 240 hours at an estimated cost of $150/hour)